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TO RUEHC/SECSTATE WASHDC IMMEDIATE 1696
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2428
RUEHGV/USMISSION GENEVA PRIORITY 1730

UNCLAS PHNOM PENH 000127

SENSITIVE
SIPDIS

STATE FOR EAP/MLS, DRL

E.O. 12958: N/A
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KJUS](#) [CB](#)
SUBJECT: COURT ACQUITS RFA JOURNALIST OF DISINFORMATION
CHARGES

REF: A. 09 PHNOM PENH 840
[1](#)B. 09 PHNOM PENH 745

[1](#)1. (SBU) The Takeo Provincial Court on February 19 acquitted Radio Free Asia (RFA) reporter Sok Serey of disinformation. The case stemmed from a dispute within a Cham Muslim community in Takeo (Ref A), where a community leader alleged that the local imam misappropriated funds belonging to the community mosque. In October 2008, Sok Serey, a long-standing reporter for RFA, broadcast the story along with commentary from two human rights activists from the Cambodian Center for Human Rights (CCHR). The incident led to the imam, Riem Math, filing disinformation charges against two community members, the reporter, and the human rights activists.

[1](#)2. (SBU) In the February 9 hearing, Riem Math told the provincial judge he no longer believed Sok Serey was in the wrong. All five defendants were thereafter acquitted on February 19, although one defendant who had been in detention since October 2009 was returned to jail, as he still faces separate charges on destruction of property (Ref B).

[1](#)3. (SBU) COMMENT: Based on an unofficial translation of the verbal verdict, the judge found no evidence of malice in the case and therefore no legitimacy in the charges of disinformation. Such a finding would be a welcome sign of new-found sophistication by a provincial court. While the statute in the UNTAC-era penal code defines disinformation as untrue information distributed "with malicious intent," other courts usually do not evaluate whether malice was present in a particular incident when ruling on a case. END COMMENT.
RODLEY